THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8817 of 2007

Dated:26.04.2007

Between:

Sri Mandadi Ranga Reddy.

... Petitioner

AND

The Assistant Director and another.

... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8817 of 2007

ORDER:

The petitioner herein allegedly purchased land admeasuring Ac.0.25 guntas in Survey No.60/A' under registered sale deed dated 13.02.2007 from Telugu Venkataiah. On 19.02.2007 when he was raising a fence, the owner of the neighbouring land on the south and west obstructed. Therefore, the petitioner approached the third respondent and gave a representation on 20.02.2007 requesting for survey of the land he purchased under registered sale deed. Alleging that no action is taken thereon, the present Writ Petition is filed seeking a direction to the third respondent to conduct survey.

The petitioner purchased the property on 13.02.2007. Even before purchasing the land he ought to have settled the matter with the vendor with regard to the boundaries and extent of the land. Merely because the neighbour objected for raising the fence, it cannot be a ground to seek survey from the respondents without settling the matter with his neighbour. Be that as it is, the petitioner approached the third respondent on 20.02.2007. As held by this Court in **Mir Fazle Ali Nasiri v. State of A.P and others**[1], unless and until there is gross arbitrariness resulting in miscarriage of justice, this Court cannot grant or prescribe any time for completion of survey.

The Writ Petition is accordingly dismissed. No costs.

(**V.V.S.RAO, J**)

26.04.2007

vs

[1] 2007 (2) ALD 3